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## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION OFFICE OF SECRETARY

In the Matter of

UACC Midwest, Inc. d/b/a
United Artists Cable Mississippi
Gulf Coast; et al.

v.

South Central Bell Telephone Company

CC Docket No. 95-94

PA 91-0005 through PA 91-0009

**DOCKET FILE COPY ORIGINAL** 

To: The Commission

## MOTION FOR EXTENSION OF TIME

BellSouth Telecommunications, Inc., formerly d/b/a
South Central Telephone Company ("BellSouth"), requests an
extension of time in which to file its Reply to Opposition
to Application for Review, and for its motion states as
follows:

- 1. On June 15, 1995, the Common Carrier Bureau, acting pursuant to delegated authority, entered its Hearing Designation Order, DA 95-1363, in this cause (the "HDO"). The HDO designated issues for hearing and established specific procedures for the filing and exchange of information in order to simplify the complaint resolution process and to promote settlement.
- 2. On June 23, 1995, the Administrative Law Judge entered an order establishing further procedures to facilitate resolution and settlement of this case (the "Scheduling Order").

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- 3. Beginning on July 7, 1995, and continuing through August 8, Complainants and BellSouth engaged in settlement negotiations, such negotiations having been scheduled prior to the issuance of the HDO.
- 4. On July 17, 1995 BellSouth filed its Application for Review of the HDO.
- 5. On July 31, 1995, complainants UACC Midwest Inc.

  d/b/a United Artists Cable Mississippi Gulf Coast, Telecable

  Associates, Incorporated, Vicksburg Video, Mississippi

  Cablevision and Mississippi Cable Television Association

  filed their Opposition to BellSouth's Application for Review

  of the HDO.
- 6. To avoid the expense and uncertainty of litigation, on August 8, 1995, complainants and BellSouth reached a settlement agreement in principle.
- 7. On August 16, 1995, complainants and BellSouth filed a joint Settlement Agreement, a joint Motion for Entry of Stipulated Order; and a joint Motion to Defer Briefing and Pre-Hearing Dates in this cause.
- 8. By the terms of the Settlement Agreement, the parties have agreed to file a joint motion to vacate the HDO within thirty (30) days after entry of a stipulated order based upon the Settlement Agreement.
- 9. Pursuant to the Commission's Rules, 47 C.F.R. §§
  1.4, 1.115, BellSouth's Reply to complainants' Opposition to

BellSouth's Application for Review of the HDO is due August 16, 1995.

- 10. In light of the parties' settlement, including their agreement to file a joint motion to vacate the HDO, which, if granted, would render as moot BellSouth's Application for Review, an extension of time in which to file a reply will serve the public interest by eliminating the need to undertake an unnecessary expenditure of time and resources by the Commission and the parties, and allow the Commission, its staff and the Administrative Law Judge to consider the terms of the proposed settlement.
- 11. An extension of time will not prejudice the interests of any third parties as the HDO is an interlocutory action without precedential effect.

WHEREFORE, for the reasons stated above, BellSouth respectfully requests that the Commission grant it an extension of time in which to file its Reply to Opposition to Application to Review until the fifth day after release of the order disposing of the parties' joint motion to vacate the HDO.

RESPECTFULLY SUBMITTED

BELLSOUTH TELECOMMUNICATIONS, INC., formerly d/b/a/ SOUTH CENTRAL BELL TELEPHONE COMPANY

M. Robert Sutherland

Theodore R. Kingsley

675 West Peachtree Street Atlanta, Georgia 30375

Date: August 16, 1995

## CERTIFICATE OF SERVICE

I hereby certify that I have this 16th day of August, 1995 served all parties to this action with a copy of the foregoing NOTION FOR EXTENSION OF TIME by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed below.

Swendolyn M. Burleson

Hon. Joseph Chachkin Administrative Law Judge Federal Communications Commission 2000 L Street, NW, Room 226 Washington, DC 20554

Mississippi Public Service Commission P. O. Box 1174 Jackson, MS 39215

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